

Serial No. 08/747,471
Amendment Under 37 CFR §116
Response to Final Rejection dated January 17, 2006

REMARKS/ARGUMENTS

Reconsideration of the rejections set forth in the above-identified Final Rejection is respectfully requested.

Applicants note with appreciation the indication of allowable subject matter as stated in Paragraph 9 of the Final Rejection. It was stated that claims 7 and 24 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

This suggestion has been followed. With regard to claim 7, the features of such claim have been incorporated into claim 1 from which claim 7 directly depended, and claim 7 has accordingly been canceled. With regard to claim 24, this claim has been rewritten in independent form as new claim 53, and claim 24 has accordingly been canceled.

Concerning the remaining claims, claims 3-5, 13, 17-20 and 20 have been canceled. Claim 6 has been amended to eliminate redundant language and for grammatical reasons. Claims 14, 16, 21, 23, 25 and 26 now depend from new claim 53. Independent claim 31 has been amended to include the features similar to those of amended claim 1. Independent claim 39 likewise has been amended to include the features similar to those of claim 1. Independent claims 51 and 52 have similarly been amended to include such features.

With the foregoing changes to the claims, it is respectfully submitted that all of the independent claims incorporate the features of allowable claims 7 and 24, and are thus submitted to be allowable as well.

Serial No. 08/747,471
Amendment Under 37 CFR §116
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The prior claims were rejected on a number of grounds. Although it is respectfully submitted that such rejections should not be applicable to the herein-presented claims, the following comments are submitted with respect to the references cited in the Final Rejection.

Sacks shows a protective cover in which fiber layers that overlap are connected by Velcro fasteners in order to dissipate energy by releasing the bond, as well as in directing the blast at a wall of the airplane. It is noted that a third band may be used with its ends connected. It is clear that Sacks does not disclose loops at the end of the band or pins within such loops for securing the bands.

Mykleby discloses a reinforced collapsible shipping container where the edges of the container are held together with corner posts made of wooden posts or metal pipes. The device of Mykleby uses a mortise and tenon construction, which is not at all like the Velcro fastened structure of Sacks. Moreover, Mykleby does not disclose the use of loops, such that the combination of these two references, if proper, would not suggest a band formed from a network of high tenacity fibers, wherein the pin connecting loops is formed from the flexible materials claimed.

In addition, it is respectfully submitted that the fields of the devices of these two references are entirely different, and one skilled in the art seeking to improve upon a protective cover structure would simply not consider any feature that may be present in a collapsible shipping box. Hence, it is respectfully submitted that one skilled in the art would not combine the teachings of these two patents, and even if they were properly combined the herein-claimed invention would still not be shown.

Reference was also made to the Kolom patent, but this is submitted to be even more far afield than Mykleby. Kolom discloses an external fuel tank for aircraft which is made of solid pieces of metal. The fuel tank includes sections that are held together by use of knuckles, and a hinge pin is formed from a rigid material such as steel or other

Serial No. 08/747,471
Amendment Under 37 CFR §116
Response to Final Rejection dated January 17, 2006

metal. The hinge pin keeps the knuckle sections together. The concept of Kolom is to provide an outer surface of the fuel tank that has a smooth, aerodynamic surface. It is respectfully submitted that one skilled in the art would not combine the teachings of Kolom which relate to an external aircraft fuel tank to modify the protective cover of Sacks. Therefore, it is respectfully submitted that one skilled in the art would not combine the references as suggested, and even if they were properly combined they would still not yield Applicants' claimed invention.

The other references mentioned in the Final Rejection are submitted to be even more remote from Applicants' claims. Sholl discloses a latch for a playground device. Gettle et al. discloses an assembly to attenuate acoustic and/or shock waves. Chavez discloses a conventional door hinge. It is submitted that neither of these references remotely disclose or suggest the invention as claimed herein.

In view of the above amendments and remarks, it is respectfully submitted that the remaining claims should be allowable. These are claims 1, 2, 6, 8-12, 14-16, 21, 23, 25-47, and 51-53. Therefore, Applicants most respectfully request entry of this Amendment and allowance of the application.

Alternatively, Applicants respectfully request entry of this Amendment for purposes of appeal as the issues on appeal will be substantially reduced with the claims as amended above.

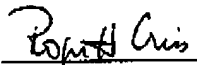
It is noted that the Final Rejection does not acknowledge the Supplemental Information Disclosure Statement that was submitted on July 25, 2005. Applicants respectfully request acknowledgment of the same in the next communication from the Patent and Trademark Office.

Serial No. 08/747,471
Amendment Under 37 CFR §116
Response to Final Rejection dated January 17, 2006

Should the Examiner believe that a discussion with Applicants' representative would in any way be of assistance, the Examiner is respectfully requested to telephone the undersigned.

Respectfully submitted,

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